



Indiana Pro Bono Commission
230 East Ohio Street, Suite 200
Indianapolis, IN 46204

Indiana Bar Foundation
230 East Ohio Street, Suite 200
Indianapolis, IN 46204

COMBINED 2003 DISTRICT REPORT, 2005 PRO BONO GRANT APPLICATION, AND 2005 PLAN

Pro Bono District: 6

Applicant: District Six Access to Justice, Inc.

Mailing Address: 1215 Race Street Suite 340

City: New Castle, IN

Zip: 47362

Phone: 765-529-9174 or 765-529-1403 **Fax:** 765-599-2498

E-mail address: district6access@hotmail.com **Web site address:** www.inbar.org

Judicial Appointee: Honorable Mary G. Willis Henry Circuit Court

Plan Administrator: Marianne Legge, J.D.

Names of Counties served: Henry, Madison, Delaware, Grant, Jay, Blackford, Randolph

Number of registered attorneys in county: *Henry: 38, Madison: 158, Delaware: 136, Grant: 77, Jay: 15, Blackford: 15, Randolph 23, in district: 462*

Percentage of volunteer attorneys who accepted a pro bono case in 2003 per registered attorneys in county: *Henry: 33%, Madison: 0%, Delaware: 22%, Grant: 0%, Jay: 0%, Blackford: 0%, Randolph: 0%, in district: 12%*

Percentage of volunteer attorneys who have not yet accepted a pro bono case in 2003 per registered attorneys in county: *Henry: 65%, Madison: 100%, Delaware: 78%, Grant: 100%, Jay: 100%, Blackford 100%, Randolph: 100%, in district: 88 %*

Amount of grant received for 2004: _____\$1,000_____

Amount of grant (2003 & prior years) projected to be unused as of 12/31/04:
_ \$24,680 _

Amount requested for 2005: _____\$33,360_____

PRO BONO DISTRICT NUMBER 6 LETTER OF REPRESENTATION

The following representations, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

Operation under Rule 6.5

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the our district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to Rule 6.5 (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- C. at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to Rule 6.5 (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results;
- D. submit an annual report to the Commission; and
- E. forward to the Pro Bono Commission for review and consideration any requests which were presented as formal proposals to be included in the district plan but were rejected by the district committee, provided the group asks for review by the Pro Bono Commission.

Commitment to Pro Bono Program Excellence

We also understand that ultimately the measure of success for a civil legal services

program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

- 1. Participation by the local bar associations and attorneys.** The associations and attorneys believe the program is necessary and beneficial.
- 2. Centrality of client needs.** The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available.
- 3. Program priorities.** The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal providers and other programs serving low-income people to assist in this process.
- 4. Direct representation component.** The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.
- 5. Coordination with state and local civil legal providers and bar associations.** The programs work cooperatively with the local civil legal providers. The partnerships between the civil legal providers and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.
- 6. Accountability.** The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.
- 7. Continuity.** The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.
- 8. Cost-effectiveness.** The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.
- 9. Minimization of barriers.** The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.
- 10. Understanding of ethical considerations.** The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided. The staff and volunteers are respectful of clients and sensitive to their needs.
- 11. ABA Standards.** The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner

upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

Explanation of items stricken from the above Letter of Representation:

It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.

Signatures:

Judicial Appointee Signature

Date

Plan Administrator Signature

Date

2005 PLAN SUMMARY

1. Please write a brief summary of the 2005 grant request. Please include information regarding your district's planned activities. The grant request should cover needs to be addressed, methods, target audience, anticipated outcomes, and how past difficulties will be addressed.

Goals & Desired Outcomes:

To have Coordinating pro bono programs between Henry, Madison, Delaware, and Grant Counties.

- Currently there are two functioning programs, and two that are getting ready to commence. These programs will be streamlined with consistent procedures and accurate data collection. This will provide a continuity in the program and give the clients the optimal services.
- We are going to set up internships with local Colleges, through their paralegal program to assist with the implementation of our programs, specifically with the intake and screening process for Delaware and Grant County. Madison County has a service that will handle intakes for them.

To provide all Counties in District 6 with adequate access to Pro Se forms and legal information.

- Targeting Blackford, Jay and Randolph Counties to provide good resources such as having Pro Se packets available in the Courthouse and at local libraries, and still strive to have pro bono services in the individual counties. This will ensure that clients will get consistent, reliable access to the legal system, even in Counties that are smaller and rural.
- Additionally, to have Grant, Madison, and Delaware counties provide resources in their local libraries and Courthouse. This is currently being done in Henry County and the Public Library and all the Court offices, have copies of the Pro Se forms. This will allow people, possible litigants other avenues to receive information.

Planned Activities For 2005

- "Talk to a Lawyer Days" will be planned in Henry, Delaware, Madison, and Grant Counties, at least twice a year in each County.
- Continued CLE opportunities for local attorneys throughout the District.
- Focus on recognition for Attorneys that participate in the program, through local media, Local Bar Associations, District Six Access to Justice, and Indiana Pro Bono Commission.
- Having media involvement to inform the public of services, and opportunities to have access to the legal community.
- Sharing our information with other service providers and perhaps collaborating with those service providers to target more of an audience and prevent redundancy of services.

Past Difficulties

- The greatest obstacle to overcome is having a consistent Plan Administrator. There have

- been three in two years. There will be more accountable to the Board toward goals. Randolph, Blackford, and Jay Counties have small bar associations and they are very rural counties, the difficulty is having them participate in a pro bono program without it being a burden. The goal is to provide better access to services in those counties, and developing an alternative method of providing service in those counties.

2003 REPORT OF VOLUNTEER LAWYER CASES IN DISTRICT 6

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 6A. Please list each attorney only once in the volunteer lawyer column but complete one line for each pro bono case for that attorney.

Definitions:

Case: A legal matter referred to and accepted by a pro bono attorney volunteer.

Volunteer Lawyer: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program. This does not include attorneys who are on the list of pro bono volunteers but who have never taken a case. The case numbers do not include cases screened, only cases actually referred to a pro bono attorney.

Case Type: Please use the abbreviations listed in Indiana Supreme Court Administrative Rule 8(B)(3)

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): **Henry County Pro Bono Council**

IOLTA funding accounts for 0 % of total pro bono provider budget.

Volunteer Lawyer Name	County	Year Case Accepted	Year Case Closed	Number of Hours	Case Type
Gerald Hodson	Henry	2003	2003	4	Landlord/Tenant
Michael Mahoney	Henry	2003	2004	10	DR
Natalie Synder	Henry	2003	2004	3.8	DR
Jeff Galyen	Henry	2003	2003	-	Advice Only
Ed Dunsmore	Henry	2003	2004	N/R ¹	DR
David Jordan	Henry	2003	2003	N/R	
Joe Bergacs	Henry	2003		N/R	
Art Brown	Henry	2003			Bankruptcy *if handled, payment plan
Jim Millikan	Henry	2003		still open	DR
David McCord	Henry	2003		still open	JP-visitation
David Copenhaver	Henry	2003		N/R	Mediation

¹Not reported.

Mary Wisehart	Henry	2003		still open	DR
Jeff Galyen	Henry	2003	2003	0	AD, client never contacted
Bob Wisehart	Henry	2003	2003	15	AD
TOTAL: 14				TOTAL: 32.8	

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): Madison County

IOLTA funding accounts for 0 % of total pro bono provider budget.

Volunteer Lawyer Name	County	Year Case Accepted	Year Case Closed	Number of Hours	Case Type
Richard Bash	Madison	2003	2003	1	Landlord Tenant
TOTAL: 1				TOTAL: 1	

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): **Muncie Bar Association Pro Bono Program**

IOLTA funding accounts for 0 % of total pro bono provider budget.

Volunteer Lawyer Name	County	Year Case Accepted	Year Case Closed	Number of Hours	Case Type
Dianna Bennington	Delaware	2003	2004	12.0	Visitation
David R. Brock	Delaware	2003	2004	5.1	Consumer
	Delaware	2003	2003	5.7	Consumer
Leslie Horn	Delaware	2003		Open	Visitation
	Delaware	2003	2003	3.3	Govt. Agency
	Delaware	2003	2004	15.0	Custody
Douglas Mawhorr	Delaware	2003	2003	7.5	JP
	Delaware	2003	2004	10.0	DR
John Brooke	Delaware	2003	2003	.4	Support
Dylan Vigh	Delaware	2003		Open	Custody
	Delaware	2003		Open	Custody

Rebecca Bruce	Delaware	2003	2003	1.5	Visitation
	Delaware	2003	2003	5.0	Support
William G. Bruns	Delaware	2003		open	DR
Kelly Bryan	Delaware	2003	2003	5.0	DR
	Delaware	2003		open	DR
	Delaware	2003	2003	.3	Custody
Jack E. Buckles	Delaware	2003	2003	1.0	Consumer
Charles Clark	Delaware	2003	2003	10.0	DR
Casey Cloyd	Delaware	2003		Open	PL
	Delaware	2003	2004	37.4	JP
Linda Clark Dague	Delaware	2003	2003	10.65	DR
B. Joseph Davis	Delaware	2003	2004	10.0	Name Change
	Delaware	2003	2003	2.0	Consumer
Kimberly Dowling	Delaware	2003	2003	10.0	Custody
	Delaware	2003	2003	10.0	Custody
	Delaware	2003		open	Visitation
Richard D. Hughes	Delaware	2003	2003	1.0	Name Change
	Delaware	2003	2003	1.0	Power of Atty.
J. Thomas Hurley	Delaware	2003		open	Landlord/tenant
	Delaware	2003		open	Landlord/tenant
William Lutz	Delaware	2003	2003	40.0	GU
Bruce Munson	Delaware	2003		open	PL
	Delaware	2003		open	Gov't Agency
Steven D. Murphy	Delaware	2003	2004	14.0	Support
	Delaware	2003	2004	4.2	DR
Michael M. Painter	Delaware	2003		Open	DR
	Delaware	2003		Open	Parental Rights
	Delaware	2003		Open	Custody

Darrel Peckinpaugh	Delaware	2003		Open	Social Security
Brian M. Pierce	Delaware	2003	2004	10.6	DR
	Delaware	2003	2004	1.8	Consumer
Thomas L. Raisor	Delaware	2003	2004	8.2	DR
Charles V. Retherford	Delaware	2003	2003	2.5	ES
L.Ross Rowland	Delaware	2003	2003	5.0	Custody
	Delaware	2003		Open	DR
James Schafer	Delaware	2003		Open	Consumer
Scott E. Shockley	Delaware	2003	2003	20.0	GU
Tara M. Smalstig	Delaware	2003		Open	Social Security
Alan K. Wilison	Delaware	2003		Open	Custody
	Delaware	2003		Open	Support
TOTAL: 30				TOTAL: 270.15	
OVERALL TOTAL: 45				OVERALL TOTAL: 303.95	

2003 REPORT OF VOLUNTEER LAWYER LIMITED INFORMATION ACTIVITY IN DISTRICT 6

This limited legal information chart can include activities such as pro se clinics and call-in or walk-in informational services.

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 7A.

Please list each attorney only once in the volunteer lawyer column but complete one line for each type of legal information activity for that attorney.

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): **DISTRICT 6**

Volunteer Lawyer Name	County	Type of Activity	Number of Hours
Leslie Horn	Delaware	Talk to a Lawyer Day	6 hrs.
Henry County Bar Association (pays Coordinator)	Henry	Pro Bono Intake Referral	24 hrs. 2 hours monthly
TOTAL: 2		TOTAL: 30 Hours	

2003 REPORT

Please list your District's 2003 activities--including committee meetings, training, attorney recognition, marketing and promotion--in chronological order.

<u>Date</u>	<u>Activity</u>
February	
2/4/03	Board Meeting
April	
4/8/03	Board Meeting
May	
5/1/03	Ask a Lawyer Day-Delaware County
5/8/03	Board Meeting
June	
6/2003	Press Release in Henry County re: Pro Bono program
6/5/03	Henry County Pro Bono Council commences pro bono program
6/17/03	Board Meeting
6/18/03	Continuing Legal Education conducted in Henry County
July	
7/29/03	Board Meeting
September	
9/23/03	Board Meeting
October	
10/23/03	Plan Administrators Retreat
10/24/03	Annual Randall T. Shepard Award Dinner
November	
11/4/03	Board Meeting
December	
12/8/03	Pro Bono Continuing Legal Education Training, Madison County
12/15/03	Contact Help Training-Anderson
12/16/03	Board Meeting
•	Planning of Ask a Lawyer Days for 2004.
•	Planning of CLE trainings in Grant/Madison Counties
12/18/03	Contact Help Training, Madison County

2003 REPORT

Please provide a short summary of how the provision of pro bono service is coordinated in your district, including the intake process, the relationships of pro bono providers in the district, how referrals are made, and how reporting is done.

Henry County:

An Intake Coordinator is responsible for screening and making referrals. Walk-in hours are held on the first and third Thursday of the month, from 3 to 4p.m. If a referral is made, the attorney is given the information about the Client and some additional forms to assist. After representation is complete, the Attorney returns the case closing memorandum, then the hours are logged on the State Website. The attorneys are not consistent in reporting completed time to the Pro Bono Coordinator.

Delaware County:

The referrals have made through an Attorney that helped develop the program. This Attorney also performs screening and makes referrals, consistent reporting needs to be developed. There is information of the number of referrals, but the times have not been consistently reported by the attorneys.

Madison & Grant Counties:

Development of Pro Bono programs have commenced, pro bono services have been informally used and reporting has not been done. Madison has other service providers in the County that are low-income servicing, but not pro bono. An agreement with Contact Help to handle the intake procedure before it is passed along to Pro Bono Coordinator for referral has been initiated. This will be an area of great improvement in 2004 and 2005.

Please describe any special circumstances, including difficulties encountered, affecting your District's 2003 implementation of its plan.

There has been turnover of Plan Administrators with gaps in service. The difficulty has been with finding qualified applicants who can work with little direction and having the needed initiative to focus on the program.

The 3 non-participating Counties continue to pose difficulties because of their reluctance to participate. These are areas that will show marked improvement in 2004 and 2005.

BUDGETS FOR 2003, 2004 AND 2005 *FOR IOLTA FUNDS ONLY*

Cost Category	2003 actual expenditures	2003 Budget	2004 actual expenditures (to date) 6/5/04	2004 Budget	2005 Budget
A. Personnel Costs					
1. Plan Administrator	8936.36	21,000	5,759.24	22,000	22,000
2. Paralegals					
3. Others					3,600
4. Employee benefits		15,000	504.00 WC	3,000	3,000
a. Insurance	1048.95 prop		568.00 prop		
b. Retirement plans					
c. Other	1470.25 tax		2,418.00 tax 494.96 IN tax		
5. Total Personnel Costs	11,455.56	36,000		25,000	28,600
B. Non-Personnel Costs					
1. Occupancy			In-kind		
2. Equipment rental			In-Kind		
3. Office supplies	128.00	1,500	127.24	150	150
4. Telephone	247.54	1,500	69.91	360	360
5. Travel	82.52	2,500	100.00 est.	1,100	1,100
6. Training		500		1,500	1,500
7. Library					
8. Malpractice insurance				2,000	2,000

9. Dues & fees			48.00	250	250
10. Audit					
11. Contingent reserve				2,000	2,000
12. Litigation reserve					
13. Marketing & promotion				1,000	1,000
14. Attorney recognition					
15. Litigation Expenses (includes expert fees)					
16. Property Acquisition		10,000			
17. Contract Services					
18. Grants to other pro bono providers					
19. Other	184.96		206.23	150	150
20. Total Non-Personnel Costs	643.02	16,000		8,510	8,510
C. Total Expenditures	\$12,098.58	52,000		33,510	37,110

IOLTA funds received 2003: \$__7,120.00__ IOLTA funds received 2004: \$__1,000__

Budget Narrative

Please provide descriptions of the following line items in the foregoing budget chart, by item number, in the space provided.

Lines (A)(1), (2), (3) Please indicate the number of hours per week for each personnel position and rate of pay.

- Marianne Legge will be working 16 hours a week with an annual salary of \$17,500.
- Contact Help will receive stipend for handling intakes in Madison County \$150.00.

Line (B)(1) Please describe the occupancy cost in terms of square footage, utilities or other amenities and indicate whether the occupancy cost is above or below the market rate for that space.

- Connie Power used home office and space allocated at Indiana Legal Services, from June 2003 to October 2003 (5 Months).

- Paula Henderson, worked out of her home and had an additional telephone line for Pro Bono calls, she was employed from October 2003 to April 2004 (6 months).
- Marianne Legge is job sharing with the position of Henry County Family Court Administrator and uses space allocated in Henry County Probation. There will be a dedicated line set up in the office for Pro Bono use for District 6. Marianne commenced employment in May 2004.

ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:

January 1:	Checks Distributed
July 1:	Annual Report, plan and grant application due to IPBC
November:	Notification of Awards
December 1:	IBF Grant agreement due and revised budget due.